

	Effective Date:	09-12-2011
	Policy #:	G-07
	Supersedes:	
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PURPOSE

This policy provides standards to assist employees in disclosing potential conflicts of interest.

POLICY

The Department of Licensing and Regulatory Affairs (LARA) enforces [Rule 2-8](#), "Ethical Standards and Conduct."

STANDARDS

1. An employee of the Department of Licensing and Regulatory Affairs (LARA) shall not do any of the following:
 - Divulge or release, for financial gain for the employee or a member of the employee's immediate family, any confidential information that is not by law, rule, regulation or court order available to the general public. However, this does not prohibit an employee from disclosing to a public body a violation or suspected violation authorized in [Rule 2-10](#) [Whistleblower Protection] unless otherwise prohibited by statute, court order, or professional ethics.
 - Engage in or agree to engage in, for financial gain for the employee or a member of the employee's immediate family, any business transaction or private arrangement that accrues from or is based on the employee's official position or on confidential information gained by reason of the employee's position.
 - Solicit, accept, or agree to accept anything of value (1) from any designated representative [as defined in [Rule 9-1](#)] or (2) under any circumstances that could reasonably be expected to influence the manner in which the employee performs work or makes decisions.
 - Make available any consideration, treatment, advantage or favor beyond that which is generally granted or made available to others under similar circumstances.

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- Represent or act as an agent for any private interests, whether for compensation or otherwise, in any transaction in which the state has a direct and substantial interest and which could reasonably be expected to result in a conflict between the employee's private interests and official state responsibilities.
 - Exercise any decision-making authority of the state regarding any regulation, enforcement, auditing, licensing, or purchasing with respect to any business or entity in which the employee or a member of the employee's immediate family has any financial interest or management authority.
 - Fail to timely, fully, and accurately report to the LARA Office of Human Resources (OHR) any interest of the employee or the employee's immediate family in any business or entity with which the employee has direct contact while performing official duties as a classified employee.
2. Within 14 calendar days of hire, LARA employees shall disclose to the LARA OHR on a [Disclosure of Interest form \(C-46\)](#) any personal or financial interests of the employee or members of the employee's immediate family in any business or entity with which the employee has direct contact while performing official duties as a classified employee.
 3. Any change in the personal or financial interests of the employee or a member of his or her immediate family that may be related to or affected by the official duties of the employee must be reported on a new C-46 form within 14 calendar days of the change.
 4. Employees may be required to file a disclosure form at additional intervals as determined by management.
 5. A Disclosure of Interest Form filed with the LARA OHR is considered confidential and is not disclosed to persons other than those authorized to make appropriate determinations of conflict of interest, unless it must be made available in a contested case.
 6. "Immediate family" as defined in civil service rules and regulations means an employee's grandparent, parent, parent-in-law, stepparent, sibling, spouse, child, or stepchild.

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PROCEDURE

Responsibility

Action

LARA OHR Director/
Designee

Notifies new LARA employees that they must submit completed [Disclosure of Interest form \(C-46\)](#) within 14 calendar days of hire.

Employee

If no personal or financial interests to disclose, returns signed, completed C-46 form to LARA OHR within 14 calendar days of hire.
If personal or financial interests are disclosed, returns signed, completed C-46 form to bureau director within 14 calendar days of hire.
Completes and submits C-46 form to the LARA OHR or bureau director, as appropriate, if any change that affects disclosure statement occurs, within 14 calendar days of such occurrence, or as directed by management.

Bureau Director

If personal or financial interests are disclosed, provides appropriate bureau remarks on C-46 form, approves if appropriate, and forwards to LARA OHR.

LARA OHR Director/
Designee

Reviews Disclosure of Interest form. If financial or personal interest is indicated, determines if conflict of interest exists and action to be taken.
Informs employee of decision on conflict of interest.

Employee

May present other pertinent information before final determination is made.

LARA OHR Director/
Designee

Makes final decision on whether conflict of interest exists and action taken.
Informs employee of decision and completes necessary processes.

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Employee

May appeal decisions under the grievance procedure.

ENFORCEMENT

An employee who fails to adhere to the requirements of this policy may be disciplined, up to and including dismissal.